significant portion of its limited range due to habitat loss from overgrazing. siltation, and channelization. Furthermore, habitat degradation has removed natural instream barriers and allowed hybridization with a related species of Catostomus. The Modoc sucker historically occurred in small tributaries of the upper Pit River in Lassen and Modoc Counties, California, but is now found only in portions of two small drainage systems in Modoc County. A determination that the Modoc sucker is an endangered species and designation of its critical habitat will implement protection provided by the Endangered Species Act of 1973, as amended.

EFFECTIVE DATE: July 11, 1985.

ADDRESSES: The complete file for this rule is available for inspection, by appointment, during normal business hours at the U.S. Fish and Wildlife Service, Regional Office, Lloyd 500 Building, 500 N.E. Multnomah Street, Suite 1692, Portland, Oregon 97232.

FOR FURTHER INFORMATION CONTACT: Mr. Wayne S. White, Chief, Division of Endangered Species, at the above address (503/231–6131 or FTS 429–6131).

SUPPLEMENTARY INFORMATION:

Background

The Modoc sucker (Catostomus microps) is a dwarf species of the family Catostomidae. Individuals begin to mature at 70 to 85 mm standard length (SL) with few adults exceeding 160 mm SL (Boccone and Mills 1979). Martin (1972) described the colors of the Modoc sucker as greenish-brown to deep gravolive above, lighter-colored on the sides with some light yellowish pigment below, cream-colored to white ventrally, and with the caudal, pelvic and pectoral fins light yellowish-orange. A bright orange band appears on the sides during spawning season. The original description of the species was based on specimens from Rush Creek (Rutter 1908)

The historic range of the Modoc sucker included small streams tributary to the Pit River in Modoc and Lassen Counties. California. Presently, the species is restricted to portions of Turner and Rush Creeks, two small drainage systems in Modoc County. California. Land ownership of the species' present range is approximately 50 percent Federal (Ü.S. Forest Service) and 50 percent private.

Preferred habitat of the species consists of small streams characterized by large shallow pools with cover, soft sediments, and clear water. Food of the Modoc sucker consists of benthic invertebrates, algae, and detritus (Moyle

and Marciochi 1975). During spring spawning runs, the species ascends creeks or tributaries that may be dry during summer months. Spawning streams and spawning characteristics were described by Boccone and Mills (1979).

The recent decline of the Modoc sucker has been dramatic. A 1978 California Department of Fish and Game survey reported the species from eight creeks: Washington, Hulbert, Turner. Willow, Ash, Dutch Flat, Johnson, and Rush. Additional streams were inhabited by the species historically, but its small, often intermittent stream habitat indicates that Modoc suckers may never have been common. Recent information (Mills 1980) indicates that genetically pure Modoc suckers are restricted to Turner Creek and its tributaries. Washington and Hulbert Creeks: Johnson Creek, a tributary of Rush Creek; and smaller unnamed tributaries of Turner and Rush Creeks. An estimated 1,300 individuals now inhabit these creek systems. The decline can largely be attributed to habitat destruction and hybridization of the Modoc sucker with the Sacramento sucker (Catostomus occidentalis). a species that occupies larger streams in the region (Cooper 1983, Mills 1980, Moyle and Marciochi 1975). Hybridization has occured due to the elimination of waterfalls and other natural instream barriers to fish movement by erosion, sedimentation. and channelization

The precarious status of the Modoc sucker has been widely recognized. The American Fisheries Society lists the species as endangered (Deacon et al. 1979). The State of California has recently changed its classification of the species to endangered (California Department of Fish and Game 1980). The Modoc sucker was included in the Service's December 30, 1982, Review of Vertebrate Wildlife for Listing as Endangered or Threatened Species (47 FR 58454). In this review, the Modoc sucker was listed as a category 1 species, indicating that the Service had substantial information on hand to support a proposed rule to list the species as endangered or threatened. On April 19, 1983, the Desert Fishes Council petitioned the Service to list the Modoc sucker. Upon evaluation of this petition. the Service found that the petitioned action was warranted and published this finding on June 14, 1983 (48 FR 27273). The proposed rule to list the Modec sucker as an endangered species and designate its critical habitat was published by the Service on January 31. 1984 (49 FR 3892), in accordance with

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Determination of Endangered Status and Critical Habitat for the Modoc Sucker

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The Service determines the Modoc sucker (Catostomus microps) to be an endangered species. Critical habitat is also designated for this fish. This action is being taken because the species has been extirpated from a

section 4(b)(3)(B)(ii) of the Endangered Species Act of 1973, as amended.

A cooperative effort by the California Department of Fish and Game, U.S. Forest Service, and U.S. Fish and Wildlife Service to reestablish the Modoc sucker in its historic streams has been initiated. The Department of Fish and Game reintroduced the species into Turner Creek, but the success of this effort has not been determined at this time. Most suckers found in Rush Creek in the past five years have been hybrids, although historically the Modoc sucker was collected from this creek. Plans have been developed to rehabilitate this creek and reintroduce the Modoc sucker. Despite the present precarious status of the species, reintroduction and stream rehabilitation efforts may result in the survival and eventual recovery of this unique species of the native California ichthyofauna.

Summary of Comments and Recommendations

In the January 31, 1984, proposed rule (49 FR 3892) and associated notifications, all interested parties were requested to submit factual reports or information that might contribute to the development of a final rule. Appropriate State agencies, county governments, Federal agencies, scientific organizations, and other interested parties were contacted and requested to comment. Newspaper notices were published in the Red Bluff Daily News, Redding Record, Lassen Advocate, and Modoc Record, which invited general public comment. These notices were published on March 1, 1984, except for the Lassen Advocate notice, which was published one day later.

Eleven written comments were received by the Service in response to the original notifications and newspaper notices. Seven replies offered support for the proposed listing and four provided comments and information but were non-committal concerning support or opposition of the proposal. The seven supportive replies were from the U.S. Forest Service, a University of California professor who has studied the species for many years, the Director of the California Department of Fish and Game, the International Union for Conservation of Nature and Natural Resources (IUCN), the Deputy State Director of the U.S. Bureau of Land Management, the California Wilderness Coalition, and a private citizen. The private citizen stressed the adverse impacts of overgrazing and stated that without grazing pressures, some intermittent streams presently inhabited by the Modoc sucker would no doubt be perennial. The California Wilderness

Coalition suggested that the Big Canyon roadless area and the Pit River Canyon wilderness study area should be examined for potential habitat.

One of the comments received provided additional information but neither supported nor opposed the proposed rule. The Sacramento Office of the U.S. Bureau of Reclamation provided information on a dam project that is being considered in the Allen Camp area on the Pit River. It suggested various alternatives to the proposed dam on the Pit River, but no new data on the status of the species were presented.

Based on the cooperative efforts of the Service with the U.S. Forest Service concerning reestablishment of the sucker in historic streams, Service personnel continued field inspection of areas proposed as critical habitat. As a result of these surveys, a refinement of the critical habitat boundaries was warranted. See the "Critical Habitat" section for specific details.

Summary of Factors Affecting the Species

After a thorough review and consideration of all information available, the Service has determined that the Modoc sucker (Catostomus microps) should be classified as an endangered species. Procedures found at section 4(a)(1) of the Endangered Species Act (16 U.S.C. 1531 et seq.) and regulations promulgated to implement the listing provisions of the Act (to be codified in 50 CFR Part 424; proposal 49 FR 38900, October 1, 1984) were followed. A species may be determined to be an endangered or threatened species due to one or more of the five factors described in section 4(a)(1). These factors and their application to the Modoc sucker (Catostomus microps) are as follows:

A. The present or threatened destruction, modification, or curtailment of its habitat or range. Overgrazing by cattle, channelization, and other activities that cause erosion and siltation have dramatically degraded Modoc sucker habitat. Cattle grazing has compacted and denuded several meadow areas causing severe erosion and stream incision (Mills 1980). In some streams, erosional cutting of stream banks has exposed as much as 10 vertical feet of earth. These changes to the species' habitat have decreased the distribution and abundance of the Modoc sucker to a point where only 1,300 genetically pure individuals are thought to remain (Mills 1980).

In addition to loss of suitable habitat, erosion and channelization within the species habitat have removed natural

barriers separating the Modoc sucker from the Sacramento sucker (Moyle 1976a). Sacramento suckers inhabit large streams and reservoirs in the Pit River system, but ascend small tributaries to spawn. Historically, natural instream barriers, such as falls or steep gradients, prevented the movement of spawning Sacramento suckers into Modoc sucker habitat (Mills 1980, Moyle and Marciochi 1975). With the removal of these barriers hybridization between the two species has occurred. Destruction of natural instream barriers has also allowed entrance of predacious fish into Modoc sucker habitat.

Recent efforts by the U.S. Forest
Service to fence riparian habitats to
eliminate cattle grazing have improved
Modoc sucker habitat. For example,
severely eroded areas of Washington
Creek that were fenced three years ago
have regained much of their original
riparian vegetation cover since the
exclusion of cattle. Siltation and erosion
have ceased along this creek.

B. Overutilization for commercial, recreational, scientific, or educational purposes. The Modoc sucker is not known to be overutilized for any purposes.

C. Disease or predation. In the past, the brown trout (Salmo trutta) was introduced into the Pit River and its tributaries, including some which are inhabited by the Modoc sucker. Introduction of the brown trout reduced Modoc sucker numbers by predation (Moyle 1976b).

D. The inadequacy of existing regulatory mechanisms. The State of California now classifies the Modoc sucker as endangered. State legislation protects the species from taking, but does not provide for habitat protection or for Federal assistance with recovery actions.

E. Other natural or manmade factors affecting its continued existence. The genetic integrity of the Modoc sucker is threatened by hybridization with the Sacramento sucker. Genetically pure Modoc suckers have been replaced in Rush, Ash, Dutch Flat, and Willow Creeks by hybrid Modoc and Sacramento suckers. Further habitat degradation can destroy additional natural instream barriers and allow Sacramento suckers access to remaining genetically pure Modoc sucker populations.

The Service has carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by this species in determining to make this rule final. Based on this evaluation, the

preferred action is to list the Modoc sucker as endangered with critical habitat. The Service finds that the Modoc sucker has come precariously close to extinction. During the past two years, efforts by the U.S. Forest Service and California Department of Fish and Game has improved sections of remaining habitat and increased the possibility for survival of the species. However, further recovery actions that include protection of remaining populations and reintroductions of Modoc suckers into secure historic

Modoc suckers into secure, historic habitat are necessary before the species could be considered for reclassification to threatened status or for removal from the List of Endangered and Threatened Wildlife. The need for designation of critical habitat is discussed in the "Critical Habitat" section.

Critical Habitat

Critical habitat, as defined by Section 3 of the Act, means: (i) The specific areas within the geographical area occupied by a species, at the time it is listed in accordance with the Act, on which are found those physical or biological features (I) essential to the conservation of the species and (II) that may require special management considerations or protection, and (ii) specific areas outside the geographical area occupied by a species at the time it is listed, upon a determination that such areas are essential for the conservation of the species.

Section 4(a)(3) of the Act requires that critical habitat be designated to the maximum extent prudent and determinable concurrently with the determination that a species is endangered or threatened. Critical habitat is being designated for the Modoc sucker in Modoc County, California to include a total of approximately 26 miles of the following streams and a 50 foot riparian zone on either side of the steam channel: (1) Turner Creek, (2) Washington Creek (including its tributary Coffee Mill Gulch), (3) Hulbert Creek (including its tributary Cedar Creek), (4) Johnson Creek (including its tributaries Rice Flat and Higgins Flat), and (5) Rush Creek. Know constituent elements include intermittent and permanent-water creeks, and surrounding land areas that provide vegetation for cover and protection from erosion.

Additional information resulting from field work conducted during the comment period resulted in the following changes to critical habitat from that proposed on January 31, 1984: addition of Cedar Creek (a tributary of Hulbert Creek), addition of Coffee Mill Gulch (a tributary of Washington

Creek), deletion of the upstream portion of Hulbert Creek, and deletion of the upstream portion of Johnson Creek. These changes were based on field work conducted by U.S. Fish and Wildlife Service Sacramento Field Office personnel in coordination with the U.S. Forest Service.

Section 4(b)(8) requires, for any proposed or final regulation that designates critical habitat, a brief description and evaluation of those activities (public or private) which may adversely modify such habitat or may be affected by such designation.

Activities that may adversely modify critical habitat for the Modoc sucker are as follows:

- (1) Overgrazing by livestock in areas adjacent to streams that causes compacting and denuding of soils, leading to erosion and stream incision (this is presently occurring and poses a serious threat);
- (2) Channelization, impoundment, and water diversion activities along streams that would reduce available habitat allowing Sacramento suckers access to headwater areas;
- (3) Introduction of additional exotic species that would compete with or prey on Modoc suckers poses a serious threat:
- (4) Application of herbicides or insecticides toxic to Modoc suckers or their food sources along stream courses;
- (5) Pollution of streams by silt or other pollutants that would reduce the suitability of the stream environment for Modoc suckers; and
- (6) Removal of trees or bushes along streams which, would reduce cover and shade, thereby reducing the suitability of the stream environment for the species.

Timber sales and cattle grazing, activities which occur on the Modoc National Forest, may be affected by the designation of critical habitat through section 7 consultation requirements. The Forest Service has begun implementation of recovery actions on its lands. These actions include modifications of timber sales and exclusion of cattle from some stream areas. In addition, channelization, impoundment, and water diversion activities in these stream systems would require section 7 consultation to ensure that the critical habitat is not adversely modified.

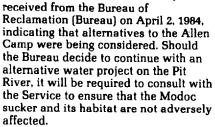
Section 4(b)(2) of the Act requires the Service to consider economic and other impacts of designating a particular area as critical habitat. The Service has considered the potential economic impacts of reduced cattle grazing and modifications to timber sales and

concluded that these effects are minor. The Forest Service has voluntarily eliminated cattle grazing in some riparian areas and has modified timber sales along Hulbert and Cedar Creeks to protect the Modoc sucker.

Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened under the Endangered Species Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing encourages and results in conservation actions by Federal, State, and private agencies, groups, and individuals. The Endangered Species Act provides for possible land acquisition and cooperation with the States and requires that recovery actions be carried out for all listed species. Such actions are initiated by the Service following listing. The protection required of Federal agencies and the prohibitions against taking and harm are discussed, in part, below.

Section 7(a) of the Act, as amended, requires Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened and with respect to its critical habitat. Regulations implementing this interagency cooperation provision of the Act are codified at 50 CFR Part 402 and are now under revision (see proposal at 48 FR 29990; June 29, 1983). Section 7(a)(2) requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of a listed species or to destroy or adversely modify its critical habitat. If a Federal action may affect a listed species or its critical habitat, the responsible Federal agency must enter into formal consultation with the Service. With respect to the Modoc sucker, consultations with the U.S. Forest Service are anticipated for actions involving timber harvest or grazing leases along streams designated as critical habitat. Informal Section 7 consultations and conferences have been held recently concerning timber sales along Cedar and Hulbert Creeks. In addition to timber sales and grazing leases, forest management plans would require consultation if their implementation would affect the Modoc sucker. A dam project on the Pit River was proposed prior to 1980 at Allen Camp. On December 16, 1980, the Bureau of Reclamation informed the Fish and Wildlife Service that this project was not under consideration at that time. A comment letter was



The California Department of Fish and Game, the Forest Service, and the Service have been involved in developing an action plan for the Modoc sucker since 1981. The action plan was revised in 1983 and approved by the three agencies in 1984. The purpose of the plan is to provide direction and assign responsibilities for the recovery of the Modoc sucker. The immediate objective of the plan is to provide enough suitable, secure habitat in both the Turner-Hulbert-Washington Creeks drainage and the Rush-Johnson Creeks drainage to ensure viable populations of the Modoc sucker in these areas. This action plan is compatible with the critical habitat designation.

The Act and its implementing regulations found at 50 CFR 17.21 set forth a series of general prohibitions and exceptions that apply to all endangered wildlife. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to take, import or export, ship in interstate commerce in the course of commercial activity, or sell or offer for sale in interstate or foreign commerce any listed species. It also is illegal to possess, sell, deliver, carry, transport, or ship any such wildlife that had been taken illegally. Certain exceptions apply to agents of the Service and State conservation agencies.

Permits may be issued to carry out otherwise prohibited activities involving threatened wildlife species under certain circumstances. Regulations governing permits are at 50 CFR 17.22 and 17.23. Such permits are available for scientific purposes, to enhance the propagation or survival of the species, and/or for incidential take in connection with otherwise lawful activities. In some instances, permits may be issued during a specified period of time to relieve undue economic hardship that would be suffered if such relief were not available.

National Environmental Policy Act

The Fish and Wildlife Service has determined that an Environmental Assessment, as defined by the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of

1973, as amended. A notice outlining the Service's reasons for this determination was published in the Federal Register on October 25, 1983 (48 FR 49244).

Regulatory Flexibility Act and Executive Order 12291

The Department of the Interior has determined that designation of critical habitat for this species will not constitute a major action under Executive Order 12291 and certifies that this designation will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

The critical habitat designation as defined in the proposed rule for the Modoc sucker (Catostomus microps) did not bring forth economic or other impacts to warrant consideration of revising the critical habitat designation due to such impacts. The critical habitat is located in portions of two small drainages in Modoc County, California. The Forest Service owns approximately 50 percent of the critical habitat. The remaining critical habitat area is privately owned. Based on current Forest Service management, the Bureau's consideration of alternative water projects on the Pit River, and the joint action plan for the recovery of the Modoc sucker, it is not expected that significant economic impacts will result from the designation of critical habitat on Federal land. In addition, there is no known involvement of Federal funds or permits for the private lands within the critical habitat designation. No direct costs, enforcement costs, or information collection or recordkeeping requirements are imposed on small entities by the designation. These determinations are based on a Determination of Effects that is available at the Regional Office, U.S. Fish and Wildlife Service, 500 N.E. Multnomah Street, Suite 1692, Portland, Oregon 97232.

Literature Cited

Boccone, V.M., and T.J. Mills. 1979. Spawning behavior and spawning substrate preference of the Modoc sucker, Catostomus microps (Rutter). California Department of Fish and Game, Inland Fish. Endangered Species Program Spec. Publ. 79–2.

California Department of Fish and Game. 1980. At the crossroads: a report on the status of California's endangered and rare fish and wildlife. State of California Resources Agency. Sacramento, California 147 pp.

Cooper, J.J. 1983. Distributional ecology of native and introduced fishes of the Pit River system, northeastern California, with notes on the Modoc sucker. California Fish and Game 69:39-53.

Deacon, J.E., G. Kobetich, J.D. Williams, S. Contreras et al. 1979. Fishes of North America endangered, threatened, or of special concern: 1979. Fisheries (Bull., Am. Fish. Soc.) 4:29–44.

Martin, M. 1972. Morphology and variation of the Modoc sucker, *Catostomus microps* Rutter, with notes on feeding adaptations. California Fish and Game 58:277–284.

Mills, T.J. 1980. Life history, status, and management of the Modoc sucker. Catostomus microps (Rutter) in California, with a recommendation for endangered classification. California Department of Fish and Game, Inland Fish. Endangered Species Program Spec. Publ. 80–6.

Moyle, P.B. 1976a. Some effects of channelization on the fishes and invertebrates of Rush Creek, Modoc County, California. California Fish and Game 62:179–186.

Moyle, P.B. 1976b. Fish introductions in California: history and impact on native fishes. Biol. Conserv. 9:101–118.

Moyle, P.B., and A. Marciochi. 1975. Biology of the Modoc sucker, Catostomus microps, in northern California. Copeia 1975:558–560.

Rutter, C. 1908. The fishes of the Sacramento-San Joaquin basin, with a study of their distribution and variation. Bull. U.S. Bur. Fish. 27:103-152.

Author

The primary author of this final rule is Dr. Jack E. Williams, U.S. Fish and Wildlife Service, Sacramento Endangered Species Office, 2800 Cottage Way. Room E-1823, Sacramento, California 95825 (916/484-4935 or FTS 468-4935).

List of Subjects in 50 CFR Part 17

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture).

Regulations Promulgation

PART 17—[AMENDED]

Accordingly, Part 17. Subchapter B of Chapter I, Title 50 of the Code of Federal Regulations, is amended as set forth below:

1. The authority citation for Part 17 continues to read as follows:

Authority: Pub. L. 93-205, 87 Stat. 884; Pub. L. 94-359, 90 Stat. 911; Pub. L. 95-632, 92 Stat. 3751; Pub. L. 96-159, 93 Stat. 1225; Pub. L. 97-304, 96 Stat. 1411 (16 U.S.C. 1531 et seq.).

2. Amend § 17.11(h) by adding the following, in alphabetical order under "FISHES", to the List of Endangered and Threatened Wildlife:

§ 17.11 Endangered and threatened wildlife.

(h) * * *

Species				Vertebrate				
Common name	Scientific nan	ne	Historic range	population where endangered or threatened	Status	- When listed	Critical habitat	Special rules
FISHES		_	_					
Sucker Modoc	Catostomus microp	· ·	USA (CA)	Entire	•	•	17.95(e)	NA
*	outootomas microp	•	0.0.A. (OA)				17.85(6)	

3. Amend § 17.95(e) by adding critical habitat of the Modoc sucker as follows: The position of this entry under § 17.95(e) will follow the same sequence as the species occurs in § 17.11.

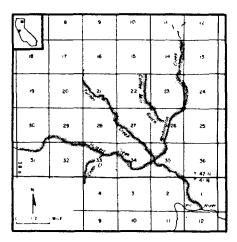
§ 17.95 Critical habitat—fish and wildlife.

MODOC SUCKER (Catostomus microps)

California, Modoc County.

- 1. Turner Creek. Approximately 4.5 stream miles and 50 feet on either side of the stream channel from the juncture of Turner Creek with the Pit River upstream to T42N, R8E, Section 20; including those areas of the stream channel in T41N, R8E, Sections 1 and 2; and in T42N, R8E, Sections 21, 27, 28, 34, and 35.
- 2. Washington Creek. Approximately 4 stream miles and 50 feet on either side of the stream channel from the juncture of Washington Creek with Turner Creek to T42N. R8E. Section 11; including those areas of the stream channel in T42N, R8E. Sections 14. 23, 24, 25, 26, and 35. Also Coffee Mill Gulch. a tributary of Washington Creek, for approximately 1.5 miles and 50 feet on either side of the stream channel from the juncture of this tributary with Washington Creek upstream to T42N, R8E, Section 22; including those areas of the stream channel in T42N, R8E, Sections 22, 23, and 26.
- 3. Hulbert Creek. Approximately 3.5 stream miles and 50 feet on either side of the stream channel from the juncture of Hulbert Creek with Turner Creek upstream to T42N, R8E, Section 31; including those areas of the stream channel in T42N, R8E, Sections 29, 30, 32, 33, 34, and 35; and Cedar Creek, a

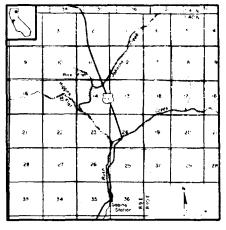
tributary of Hulbert Creek, for approximately 1.5 stream miles and 50 feet on either side of the stream channel from the juncture of Cedar Creek with Hulbert Creek upstream to Cedar Spring; including those areas of the stream channel in T41N, R8E, Section 4: and in T42N, R8E, Section 33.



4. Johnson Creek. Approximately 4 stream miles and 50 feet on either side of the stream channel from the juncture of Johnson Creek with Rush Creek upstream to T40N, R10E, Section 6; including those areas of the stream channel in T40N, R9E, Sections 1, 11, 12, 14, 23, and 24. Also in unnamed tributary of Johnson Creek in Rice Flat, for approximately 1 stream mile and 50 feet on either side of the stream channel from the juncture of this tributary with Johnson Creek upstream to T40N. R9E. Section 10: including those areas

of the stream channel in T40N, R9E, Sections 11 and 14. Also in unnamed tributary of Johnson Creek in Higgins Flat, for approximately 1 stream mile and 50 feet on either side of the stream channel from the juncture of this tributary with Johnson Creek upstream to T40N, R9E, Section 10; including those areas of the stream channel in T40N, R9E, Sections 14 and 15.

5. Rush Creek. Approximately 5 stream miles and 50 feet on either side of the stream channel from the gauging station at the State Route 299 crossing upstream to T40N, R10E. Section 16; including those areas of the stream channel in T40N, R9E, Sections 24, 25, 26, 35, and 36; and in T40N, R10E. Sections 17, 18, and 19.



Known constituent elements include intermittent and permanent-water creeks, and adjacent land areas that provide vegetation for cover and protection from soil erosion.

Dated: May 15, 1985.

Craig Potter,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 85–13992 Filed 6–10–85; 8:45 am]
BILLING CODE 4310–55-M